

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHARLES HICKS,)
vs. Plaintiff,) CIVIL ACTION NO. 2:07cv668-WHA
PRISON HEALTH SERVICES, et al.,)
Defendants.)

ORDER

No objection having been filed to the Recommendation of the Magistrate Judge (Doc. #4), filed on July 24, 2007, the Recommendation is adopted, and it is hereby ORDERED as follows:

1. Plaintiff's claim against the Staton Correctional Facility is DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
2. Staton Correctional Facility is DISMISSED as a Defendant in this cause of action.
3. This case, with respect to the Plaintiff's claim against the remaining Defendants, is referred back to the Magistrate Judge for appropriate proceedings.

DONE this 13th day of August, 2007.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE